



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

ORDER

DOT 1120.3B

9-23-93

Subject: COMMITTEE MANAGEMENT POLICY AND PROCEDURES

1. PURPOSE. This Order establishes policy, prescribes procedures and assigns responsibility for the sound management of:
 - a. Department of Transportation (DOT) sponsored committees.
 - b. Participation of DOT employees in committees of other organizations.
2. CANCELLATION. DOT 1120.3A, Committee Management Policy and Procedures, dated 3-1-76.
3. REFERENCES.
 - a. P.L. 92-463 (5 U.S.C. App.), Federal Advisory Committee Act (FACA) (the Act) of 10-6-72, authorizes the establishment of a system governing the creation and operation of advisory committees in the executive branch of the Federal Government.
 - b. Executive Order 12024, 12-1-77, transfers advisory committee functions from the Office of Management and Budget (OMB) to the General Services Administration (GSA) and directs executive agencies to take appropriate action to assure their ability to comply with the provisions of the Act.
 - c. DOT 1500.6A, DOT Travel Manual, 1-2-85, establishes regulations covering civilian employee travel.
 - d. OMB Circular A-120, Guidelines for the Use of Advisory and Assistance Services, 1-4-88, mandates controls for the management and reporting of advisory and assistance services obtained from individuals and organizations.
 - e. 41 CFR Part 101-6.10, Federal Advisory Committee Management, provides management controls and administrative guidelines to executive agencies in implementing FACA.
 - f. P.L. 101-194 (18 U.S.C. 208), Ethics Reform Act, 11-30-89.
 - g. DOT 1100.60A, DOT Organization Manual, 11-14-88, provides the basic organization structure, concepts, missions, assignments of responsibility, and delegations of authority within the Department.

DISTRIBUTION: All Secretarial Offices
All Operating Administrations
Bureau of Transportation Statistics

OPI: Executive
Secretariat

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CHAPTER IGENERAL

1. BACKGROUND. A committee is a formally constituted group of individuals with collective responsibility to consider, investigate, study, advise, or make recommendations through their chairperson to a designated Federal official. The proper use of committees can provide benefits obtainable only through group deliberations and from a variety of opinions. Improper use can waste resources, delay action, result in undesirable compromise, and operate to the detriment of management's decision-making process.
2. OBJECTIVES. The objectives of committee management are to:
 - a. monitor the establishment of, participation in, and use of committees;
 - b. prevent committees from serving as a substitute for effective and decisive management or staff actions;
 - c. eliminate duplication, overlap, or fragmentation of committee purposes and efforts by systematic management reviews;
 - d. provide current, responsive, and timely information on committees and their activities;
 - e. ensure that membership and participation conform to existing policies, regulations, orders, and laws; and
 - f. terminate promptly any committee whose purpose has been fulfilled.
3. POLICY.
 - a. Committees shall be established only when they afford the most expeditious, economical, and appropriate means for accomplishing the intended purpose. The committee effort must be capable of providing added strength, objectivity, and confidence to management's decision-making process.
 - b. Committees shall be used only in an advisory capacity to management, or for investigating, reporting, recommending, or providing a forum or mechanism for coordination or the exchange of information.

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5. CATEGORIES OF COMMITTEES.

- a. Advisory Committee. Any committee, board, commission, council, conference, panel, task force, or similar group, or any subcommittee or other subgroup thereof, which is established by statute or established or utilized by the President or any agency official for the purpose of obtaining advice or recommendations on issues or policies which are within the scope of his or her responsibilities, and has at least one member who is not a full-time officer or employee of the Federal Government.
- b. Departmental Committee. A formally established committee that is composed solely of DOT employees. Members may come from one secretarial office, operating administration (OA), or the Bureau of Transportation Statistics (BTS), or from any combination of these organizations.
- c. Interagency Committee. One formed by an agency of the Government and composed wholly of employees from more than one agency.
- d. International Committee. One having representatives of foreign governments, industries, or organizations, usually established as a result of a treaty or agreement between the United States and a foreign government or by legislation. Participation, sponsorship, and establishment are dictated by treaty, agreement, or legislation.
- e. Non-Government Committee. One sponsored by any organization not part of the Federal Government.

6. CATEGORIES OF INDIVIDUALS.

- a. Approving Official. The DOT official having authority to approve committee actions and make recommendations to the Secretary concerning establishment, modification, renewal, or termination and appointment of members.
- b. Alternate. An individual who is officially authorized to act for a committee member in his or her absence.
- c. Chairperson. The presiding officer of the committee who guides all efforts in completing assigned tasks.
- d. Committee Management Officer (CMO). The designated official who is responsible for committee management within the organization. The CMO who is responsible for committee management for the Department will be referred

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- (a) departmental committees concerned with policy matters; and
 - (b) advisory and interagency committees sponsored by DOT.
- (2) approve the designation of:
 - (a) membership for agency established advisory committees (procedures are outlined in Chapter II, paragraph 10);
 - (b) DOT representatives on advisory committees sponsored by other agencies;
 - (c) membership for departmental committees concerned with policy matters;
 - (d) DOT representatives to interagency committees sponsored by other agencies established at the secretarial level when these representatives act on behalf of the Secretary; and
 - (e) departmental representatives on international committees.
- (3) execute all interagency agreements for establishment of interagency committees on a secretarial level.
- b. Secretarial Officers, Heads of OAs, and the Director, BTS within their functional areas of responsibility shall:
 - (1) recommend for Secretary's consideration the establishment, modification, extension, or termination of:
 - (a) departmental committees concerned with policy matters; and
 - (b) advisory and interagency committees sponsored by DOT.
 - (2) designate for Secretary's consideration:
 - (a) membership for advisory committees sponsored by DOT, except where statute or charter specifies otherwise;
 - (b) DOT representatives on advisory committees sponsored by other agencies;

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f. The DOT CMO shall:

- (1) administer the provisions of this Order and when required, amend the implementing procedures, standards, and guidelines for effective committee management by revision;
- (2) conduct management reviews of all DOT committee activity to ensure compliance with this Order and conduct annual reviews of departmental advisory committees;
- (3) prepare for GSA an annual report and annual comprehensive review of all DOT advisory committees;
- (4) review committee action documents which require secretarial approval;
- (5) file committee charters and renewal documents with appropriate oversight agencies and the Congress;
- (6) maintain the central DOT committee management files;
- (7) advise on the methods and procedures required for the establishment of advisory committees and the maintenance of documentation, as required by law;
- (8) give guidance to agency CMOs on compliance with the requirements of FACA and its implementing regulations and on the Privacy Act, the Freedom of Information Act (FOIA), and Ethics Reform Act as they pertain to advisory committees;
- (9) coordinate departmental responses to requests from Members of Congress, Government agencies, and the general public for information on DOT committees; and
- (10) maintain liaison with oversight agencies.

g. Secretarial Office, OA, and BTS CMOs shall:

- (1) ensure compliance with the requirements of this Order and those prescribed by the DOT CMO;
- (2) develop any supplementary procedures which may be necessary for effective committee management within their office, administration, or bureau;
- (3) advise committee sponsors and review committee action documents before transmittal to approving authorities;

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e. Committee Titles.

- (1) Except as provided by paragraphs (2) and (4) below, committees shall be designated as "committees" and their subordinate units shall be designated as "subcommittees."
- (2) The temporary status of ad hoc committees should be indicated in their titles by the use of such terms as "conference," "task force," "team," "group," or "panel." Ad hoc committees having membership not wholly composed of Federal Government members shall be considered advisory committees and shall use the term "advisory" in their titles.
- (3) The term "advisory" in titles shall be restricted to use for committees whose membership includes one or more members who are not full-time officers or employees of the Federal Government.
- (4) The terms "commission," "council," and "board" shall be reserved for committees established by legislation or executive order or for formally established organizations within the Department.
- (5) For convenience in record-keeping, reporting, and identification, it is desirable that the key word be the first word in the name (e.g., Towing Safety Advisory Committee, not National Advisory Committee on Towing Safety, and Commercial Space Transportation Committee, not DOT Committee on Commercial Space Transportation). The name of a departmental committee may include the identification of its sponsoring organization (e.g., FRA Safety Committee).

f. Committee Officers. Each committee shall have a chairperson. Other officers may be required, depending on the size and type of committee, the frequency of its meetings, and the nature of its assignments. Dual, joint, or rotating chairs should be avoided.

g. Membership.

- (1) A committee shall be large enough to promote deliberations, but shall include only the number necessary to ensure the breadth and balance of expertise required to accomplish its mission.

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9. RECORDS.

- a. The committee sponsor is responsible for the maintenance of committee records. Such records shall include establishing documents, official correspondence, membership information, agendas, minutes of meetings, invitations, studies, analyses, compilations of data or working papers, and a record of time served by special employees (experts, consultants, and non-Federal staff). These records shall be available in a single location for on-site review by the DOT CMO.
- b. The DOT CMO shall maintain copies of establishing and renewal documents for all DOT advisory committees as well as membership lists, advisory committee reports, data used by the DOT CMO to prepare reports to oversight agencies, and copies of all advisory committee documents requiring the Secretary's approval.
- c. Other CMOs shall maintain copies of all establishing and renewal documents, reports, and membership data for committees sponsored by their organization, copies of all information submitted for DOT's annual report and review, and a record of employees who participate in non-DOT sponsored committees.

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CHAPTER IIADVISORY COMMITTEES

1. BACKGROUND. Under appropriate circumstances the use of advisory committees by Federal agencies to provide information, advice, and recommendations is considered beneficial to the operation of the Government. FACA and 41 CFR Part 101-6, Federal Advisory Committee Management, prescribe standards for departments and agencies to follow in establishing and using advisory committees. 49 CFR, Part 95, implements the Act and the Regulation within DOT.
2. DEFINITIONS. FACA defines an advisory committee as "any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof, which is established by statute or reorganization plan, or established or utilized by the President, or established or utilized by one or more agencies in the interest of obtaining advice or recommendations for the President or one or more agencies or officers of the Federal Government and not composed wholly of full-time officers or employees of the Federal Government."
 - a. Any independent group (task force, study group, panel, or similar group) established by statute, executive order, or agency head which may issue reports or recommendations in its own name, has members not common to an existing committee, reports to a Federal official, and has non-Federal members is an advisory committee.
 - b. Any group existing outside the Federal Government and not established by a Federal Government entity but which is used by a Federal entity as a preferred source of advice and which is closely tied to the Federal entity through such managerial controls as funding, setting agendas, or selection of members is an advisory committee.
3. POLICY.
 - a. DOT shall not establish or utilize an advisory committee unless directed or authorized by statute, executive order, Presidential direction, or secretarial action.
 - b. An advisory committee shall not be considered formally established until:
 - (1) a draft charter has been submitted to the Secretary for approval;

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- b. The approving official shall forward through the CMO to the DOT CMO the draft charter, membership list, and a justification memorandum to the Secretary. If a GSA/OMB consultation is required, the official shall also forward GSA Form T-823-H and a letter of justification from the Secretary to the Director of OMB. The justifications shall contain:

- (1) a statement that there is a compelling need for the committee, and it is in the public interest;
- (2) an explanation as to why the functions cannot be performed within the Department or by an existing committee;
- (3) the plan to attain balanced membership;

NOTE: FACA requires the membership of an advisory committee to be "fairly balanced in terms of points of view represented and functions to be performed." 41 CFR Part 101-6 recommends that agencies consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the committee. Committees requiring technical expertise shall include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed.

- (4) other information which the sponsor and approving official wish to convey to the Secretary or the Director of OMB concerning the committee; and
- (5) request for approval.

- c. The DOT CMO shall:

- (1) coordinate the draft charter, membership list, and justification memorandum among appropriate officials for concurrence or comments. The General Counsel shall review the applicability of ethics statutes and regulations;
- (2) forward to the Secretary:
 - (a) the draft charter, membership list, and justification memorandum with concurrences, nonconcurrences, and the CMO's evaluation and recommendations;
 - (b) consultation letter to OMB if required; and

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6. RE-ESTABLISHMENT. If a charter expires before a new charter is filed, the committee must be re-established. The same procedure is followed as for establishment, including the 15-day waiting period following the publication of Notice of Re-establishment in the Federal Register.
7. TERMINATION AND DURATION.
 - a. An advisory committee shall be terminated as soon as it has completed its assigned task. When the sponsor determines that a committee is no longer serving the purpose for which it was established, recommendation for termination shall be made to the Secretary. If the Secretary approves such action, notice of termination shall be made to the members and others having an interest in the committee, and the DOT CMO shall notify GSA in writing. The sponsor or approving official is responsible for initiating the above actions. These procedures shall be followed for committees being terminated prior to the expiration of their charters as well as for those which will not be renewed at expiration time.
 - b. An advisory committee whose duration has not been fixed by law or other predetermination shall terminate two years from the date of filing unless the Secretary determines in writing prior to the end of the two-year period that renewal is in the public interest. As long as the committee fulfills a compelling need and its charter is renewed at the end of each two-year period, it may be referred to as a "continuing" committee.
 - c. Even though an advisory committee has a predetermined termination date, it must renew its charter at the end of each two-year period if the duration extends beyond a two-year period.
8. DOCUMENTATION. The establishing charter for an advisory committee shall contain the following:
 - a. Official Designation. See page I-9, paragraph 8e.
 - b. Objectives and Scope of Activities. Describe expected goals and parameters of the committee's mission.
 - c. Duration. If there is a predetermined termination date or period of time for the life of the committee, the date should be stated. If not, the duration may be described as "continuing." For a statutory committee, such description shall cite the establishing law.
 - d. Official to Whom the Committee Reports. Can be a sponsoring official, head of an OA, or the Secretary.

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9. MODIFICATION OF CHARTERS.

- a. When it is necessary to modify an existing charter, the procedure shall follow that for establishing documents. Slight modifications may be made by amendment to the existing charter; but extensive, substantive changes require a new charter.
- b. Charters for committees established by legislation, executive order, or Presidential direction may be modified by the above procedure, except for those items specified in legislation, executive order, or direction. If it is desirable to modify or replace such items, it must be done by the establishing authority on recommendation of the Secretary.

10. CATEGORIES OF MEMBERSHIP.

Each appointed member shall be designated as a representative of a particular interest or party, a Special Government Employee (SGE), or a Federal Government employee.

- a. Representative. A candidate must represent a particular interest or party other than the U.S. Government and must be qualified to represent that interest by virtue of his or her employment, education, experience, or affiliation with a specific group, industry, or organization. Committee members who are appointed to represent the public will be appointed as SGEs. If a committee charter specifies that member organizations shall name their own representatives, those persons shall be considered in the representative category.
- b. Special Government Employee. A candidate appointed for his or her individual views or advice must be appointed as an SGE. The committee sponsor shall ensure that each candidate shall be advised of his or her status as an SGE and that he or she is subject to the Federal conflict of interest laws, agency standard of conduct regulations, and financial disclosure requirements applicable to executive branch officials. The sponsoring office shall comply with all Federal requirements for appointing SGEs. All such nominations shall be reviewed by the Designated Agency Ethics Official (DAEO) or Office of Chief Counsel in the sponsoring OA. Sponsors should contact their DAEO or Office of Chief Counsel for additional guidance.

After reviewing the required SGE financial disclosure report and consulting with the DAEO or appropriate chief counsel, the employing official may waive the

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- c. The Secretary shall review the recommended appointments and approve or disapprove the recommendations. The DOT CMO shall notify the administrator, director, or secretarial officer accordingly.

12. CONTRACT/CONSULTANT FEES.

Engaging a contractor to provide administrative support for an advisory committee is discouraged because of the cost and potential for conflict of interest. If a sponsor plans to use contract support, the proposed contract must be indicated in the committee charter under "Support Services," and a cost estimate must be included in the "Cost" section. This provision shall not preclude the use of a facilitator.

13. ADMINISTRATIVE SUPPORT FOR PRESIDENTIAL BOARDS/COMMISSIONS.

When a public law or an executive order specifies that the Department shall provide administrative support services for a Presidential board or commission, the office designated to provide such support shall ensure that appropriate Departmental personnel and payroll policies and procedures are followed.

14. MEETINGS.

- a. Calling of Meetings. Advisory committee or subcommittee meetings may be held only with the approval of the committee sponsor and at the call of the DFO who has formulated or approved the agenda.

To limit costs, meetings shall be held in Washington, D.C. If it is more cost effective or convenient to hold a meeting elsewhere, or if a site visit is planned, the sponsor must submit a written request to the DOT CMO and receive authorization before proceeding to plan such a meeting.

- b. Closed Meetings. To close a meeting or portion of a meeting to the public, a request must be made in writing to the Secretary at least 30 days prior to the meeting date and shall include reasons for requesting a partially or completely closed meeting. The request must be consistent with the provisions of FOIA.

The determination by the Secretary shall be in writing and shall be made available to the public on request. The 30-day prior notice requirement for the request to the Secretary may be waived in matters of national security, safety, or counterterrorism. The agenda approved by the DFO shall indicate if any part of the meeting will be closed to the public within the exemptions of FOIA.

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- g. Minutes. The DFO shall ensure that detailed minutes are kept for each advisory committee meeting. Minutes shall include: (1) the time, date, and place of the meeting; (2) a list of all attendees including members, staff, and public observers; (3) a summary of matters discussed and conclusions reached; (4) copies of reports received, issued, or approved by the committee; and (5) a description of public participation, including oral or written statements. The chairperson shall certify as to the accuracy of the minutes. In some cases it may be desirable to hire a court reporter to ensure a verbatim record of the proceedings.

15. REPORTS.

- a. The Annual Report of the President on Federal Advisory Committees is due at GSA at the end of each fiscal year. Individual reports from sponsors are due in the office of the DOT CMO two weeks prior to the GSA due date. Current reporting forms and instructions will be distributed by the DOT CMO approximately two months prior to GSA's due date or as soon as they are received from GSA.
- b. The Annual Report on Closed Meetings is discussed in paragraph 14(c) of this chapter.
- c. Filing of Committee Reports with the Library of Congress. Section 13 of the Act requires that each advisory committee shall file with the Library of Congress at least eight copies of each report and when appropriate, background papers prepared by consultants. Copies of each report shall be sent to the DOT CMO who shall submit the required reports to the Library of Congress.
- d. Follow-up Reports for Presidential Advisory Committees. Within one year after a Presidential advisory committee sponsored by DOT has submitted a public report to the President, the sponsoring office must prepare a follow-up report to Congress detailing the disposition of the committee's recommendations. The report must be transmitted by letter signed by the Secretary addressed to the President of the Senate and the Speaker of the House. The report will be printed in the Congressional Record. A copy of the report and transmittal letters shall be furnished to the DOT CMO.

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CHAPTER IIIDEPARTMENTAL, INTERAGENCY,AND NON-DOT SPONSORED COMMITTEES

1. DEPARTMENTAL COMMITTEES. Departmental committees are used for matters almost exclusively within the responsibility of DOT and are composed solely of DOT employees. Information contained in Chapter I applies generally to departmental committees. Particular attention should be given to paragraphs 3c, 5b, 7, 8a, and 9.
 - a. Documentation. The establishment of departmental shall be documented by the sponsoring office, bureau, or administration. The format for the document may follow that for advisory committee charters insofar as appropriate. The format for advisory committee charters is discussed on page II-5.
 - (1) Establishing documents which require secretarial action (Page I-4, paragraph 7a) shall be transmitted by an action memorandum from the approving official to the Secretary through the DOT CMO. The memorandum shall include a short background, a statement as to the desirability or necessity for the proposed committee, and approval lines. After approval or disapproval, the document will be returned to the sponsor.
 - (2) The date of the approved documentation shall be considered as the committee's effective date unless it is otherwise specified in the document.
 - (3) Documents which do not require secretarial action may be printed and distributed without going through the DOT CMO.
 - b. Duration. As long as the establishing document is appropriate and the committee continues to serve the purpose for which it was established, renewal at regular intervals is not necessary.
 - c. Termination. A committee is to be terminated when it no longer serves a useful purpose. When secretarial approval is required to terminate a committee, it shall be requested by memorandum and follow the establishment procedure outlined above. When secretarial approval is not required, the committee shall be terminated by the approving authority. If the committee was established by a DOT directive, a DOT Notice of Cancellation should be issued.

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or for the employee. The extent of the authority to represent or commit DOT, as well as the responsibilities involved in doing so, must be clearly defined in writing by the approving official.

- b. Representation Limitations. DOT representation on non-DOT committees normally will be limited to one member and one alternate. In the event more than one DOT administration participates in a non-DOT activity, the DOT CMO will designate the lead organization which will coordinate with the various participants to ensure a single DOT position and avoid unnecessary duplication.
- c. Attendance, per diem, and travel costs must be justified fully and separately, and the availability of funds verified.
- d. Dissemination or release of DOT information or reports must follow DOT policy and procedures.
- e. Reports of significant committee events shall be made to the approving official for review and dissemination. Such events include notification of appointments, pre-meeting and post-meeting reports, and other matters which may be of interest to DOT management.
- f. Participation in Non-Government Committees.
 - (1) Approving officials shall ensure that DOT participation in committees not sponsored or controlled by another Government agency is in the best interests of the Government, that potential embarrassment is not likely to result from such representation, and that the participant is not involved in formulating recommendations or standards which would later have an effect on the regulatory authority or responsibilities of the Government.
 - (2) DOT employees shall not assume positions of leadership in non-Government committees unless it is clearly evident to the approving official that such would be in the best interests of the Government.
 - (3) While participation in non-Government committees may be necessary, DOT employees must avoid any real or apparent conflict of interest in connection with such participation. They must not directly or indirectly commit the Government to a course of action which is not in the public interest; espouse

CONSULTATION ON FEDERAL ADVISORY COMMITTEE				INTERAGENCY REPORTS CONTROL NO. 0304-GSA-XX	
INSTRUCTIONS: COMPLETE A SEPARATE FORM FOR EACH COMMITTEE				1. DATE OF CONSULTATION	
2. EXACT NAME OF COMMITTEE					
3. COMMITTEE STATUS					
<input type="checkbox"/> A. ESTABLISHMENT <input type="checkbox"/> B. REESTABLISHMENT <input type="checkbox"/> C. RENEWAL <input type="checkbox"/> D. AMENDMENT TO CHARTER					
4. NAME OF AGENCY OR OFFICIAL TO WHOM COMMITTEE REPORTS			5. NAME OF AGENCY PROVIDING COMMITTEE SUPPORT		
8. ESTIMATED DURATION OF COMMITTEE (IN YEARS)		7. CURRENT OR PROPOSED TERMINATION DATE		9. FREQUENCY OF MEETINGS (PER YEAR)	
10. TYPE OF COMMITTEE:					
<input type="checkbox"/> A. AD HOC <input type="checkbox"/> B. CONTINUING					
11. PROVIDE A BRIEF STATEMENT COVERING THE COMMITTEE'S SCOPE AND OBJECTIVES OF ITS ACTIVITY.					

12. DESCRIBE THE DUTIES AND RESPONSIBILITIES OF THE COMMITTEE AND INDICATE IF THE GROUP PERFORMS OTHER THAN ADVISORY FUNCTIONS.

13. WHY IS THE COMMITTEE ESSENTIAL FOR THE CONDUCT OF AGENCY BUSINESS AND IN THE PUBLIC INTEREST?

14. EXPLAIN WHY THE ADVICE OR INFORMATION CANNOT BE OBTAINED FROM OTHER SOURCES.

15. DESCRIBE THE AGENCY'S PLAN TO ATTAIN BALANCED MEMBERSHIP.

16. HAVE THE COMMITTEE AND SUBCOMMITTEE MEMBERS BEEN BRIEFED ON CURRENT ETHICS LAWS AND REGULATIONS?
☐ YES ☐ NO - EXPLAIN

SAMPLE CHARTER

COMMERCIAL SPACE ADVISORY COMMITTEE

- I. PURPOSE: This charter establishes the Commercial Space Advisory Committee (COMSAC) and provides for its operation in accordance with the provisions of the Federal Advisory Committee Act (FACA)(5 U.S.C. App.), DOT Order 1120.3B, and the requirements prescribed in Title 49, Code of Federal Regulations, Part 95.
- II. SCOPE: COMSAC, acting as an advisory committee, provides information, advice, and recommendations to the Secretary of Transportation on matters relating to all aspects of the commercialization of expendable launch vehicles. COMSAC does not exercise program management or regulatory development responsibilities, and makes no decisions directly affecting the programs on which it provides advice. COMSAC provides a forum for the development, consideration, and communication of information from a knowledgeable, independent perspective.
- III. OBJECTIVES AND DUTIES: Consistent with the scope of its activities described in Paragraph II, COMSAC is authorized to:
 - A. Undertake such information gathering activities as necessary to define issues for consideration by the Committee, develop positions on those issues, and communicate the Committee's position thereon to the Secretary of Transportation.
 - B. Evaluate economic, technological, and institutional developments relating to commercial space transportation and communicate to the Secretary recommendations on promising new ideas and approaches for Federal policies and programs.
 - C. Serve as a forum for the discussion of problems involving the relationship between industry activities and government requirements. Seek, where possible, to resolve such problems without resort to formal Departmental intervention.
- IV. SPONSOR: The Office of Commercial Space Transportation shall be the COMSTAC sponsor and shall furnish support services for the operation of the Committee. The Director shall designate a staff member to be the executive director of COMSAC.

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D. Detailed minutes of each meeting shall be kept and certified by the executive director. The minutes shall contain:

1. the time, date, and place of the meeting;
2. a record of all attendees at the meeting;
3. a complete and accurate description of all matters discussed and conclusions reached;
4. copies of all reports received, issued, or approved by the Committee; and
5. a description of public participation, including oral or written statements.

E. The minutes, as certified by the chairperson, shall be available for public inspection and copying in the office of the sponsor. Public availability of minutes or other documents received or generated by the Committee are subject to applicable limitations and exceptions prescribed in the Freedom of Information Act (5 U.S.C. 552(b)).

VIII. SUBCOMMITTEES: The chairperson may establish continuing subcommittees, and short-term subcommittees or task forces as deemed necessary. Subcommittee members must be members of the full Committee. Subcommittees shall adhere to the meeting requirements cited in Section VII. Subcommittee recommendations must be reviewed by the full Committee before they are presented to the sponsor.

IX. TRAVEL AND EXPENSES: Committee members who are not officers or employees of the Federal Government are, while attending meetings or otherwise engaged in the business of the Committee, authorized travel and subsistence or per diem allowances (as appropriate) in accordance with Government regulations. All travel by individual members when engaged in official Committee business shall be approved in advance by the chairperson and the executive director.

X. ESTIMATED COST AND SUPPORT: The estimated annual direct operating cost of COMSAC is \$24,000, which includes travel and subsistence costs of members, printing and miscellaneous costs, and 0.5 staff years.

XI. PUBLIC INTEREST: As a component of the President's National Space Policy which encourages U.S. private investment and involvement in civil space activities, the formation and operation of COMSAC is determined to be in the public interest.



U.S. Department of
Transportation
Office of the Secretary
of Transportation

ADVISORY COMMITTEE CANDIDATE BIOGRAPHICAL INFORMATION REQUEST

PART I

Read the following carefully before completing Part II of this form.

To All Prospective Members of Advisory Committees:

The establishment and operation of all advisory committees in the Executive Branch is governed by the Federal Advisory Committee Act, Public Law 92-463. Among its many requirements, the statute requires that the membership of an advisory committee be balanced—that is, that it fairly and equitably represent, to the extent feasible, all the various interests that may be affected by the committee's work and that undue weight not be afforded the views of any one interest.

Depending upon the specific area of a committee's concern, balance may mean adequate representation of consumers and industry, west coast and east coast shippers, labor and management, etc.

The Office of Management and Budget, which was given the responsibility for overall administration and guidance of advisory committees, in its letter of January 28, 1975 to Heads of Executive Departments and Agencies urged promotion of other aspects of balance such as sex and race.

Another consideration which persists throughout all committees is political affiliation. Advisory committees would lose their integrity and effectiveness if they were permitted to become vehicles for the propagation of partisan political views. Moreover, our integrity as an agency of the Government would be impaired if the public believed that we stock our advisory committees with members of the President's political party who simply rubber-stamp all actions.

As a consequence, one item of information which we seek on the biographical form is your political affiliation. Because of the Privacy Act of 1974, however, we need your permission to keep this item of information. The Privacy Act prohibits an agency of the Government from keeping information on how a person exercises the rights guaranteed by the First Amendment to the Constitution unless, as in this instance, that person expressly authorizes the agency to do so. It is generally considered that the right to join and support a political party derives from the First Amendment rights of Free Speech and Assembly. Hence, the biographical form also contains a statement which we ask that you sign authorizing the Department of Transportation to maintain information about your political affiliation.

We have requested your social security number, date and place of birth for identification purposes. It is not mandatory that you furnish your social security number, although we would appreciate having it. However, we do need to have your date and place of birth.

Sincerely,

Committee Management Officer

PRIVACY ACT STATEMENT

Information requested on this form is made under provisions of P.L. 93-579 of the Privacy Act of 1974. It is to be used as background information for prospective members of advisory committees. At your request, this Department will disclose to you the identity of any person or organization to whom we release such information. Information concerning sex, race, and political affiliation is requested for the purpose of obtaining balance in those areas on advisory committees. Failure to provide such information may delay consideration of your appointment.

AUTHORIZATION TO MAINTAIN POLITICAL AFFILIATION INFORMATION

Pursuant to the Privacy Act's provision on the maintenance by Government agencies of information describing how an individual exercises rights guaranteed by the First Amendment, I authorize the Department of Transportation to maintain information on my political affiliation.

The above statement to be signed by candidate, after reading Part I of this form.

Signature

EXPLANATION OF RACE/ETHNIC BACKGROUND ABBREVIATIONS

- A = *American Indian or Alaskan Native.* A person having origins in any of the original peoples of North America, and who maintains cultural identification through community recognition or tribal affiliation.
- B = *Asian or Pacific Islander.* A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.
- C = *Black, not of Hispanic origin.* A person having origins in any of the black racial groups of Africa. Does not include persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish cultures or origins (see Hispanic).
- D = *Hispanic.* A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish cultures or origins. Does not include persons of Portuguese culture or origin.
- E = *White, not of Hispanic origin.* A person having origins in any of the original peoples of Europe, North Africa, or the Middle East. Does not include persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish cultures or origins (see Hispanic). Also includes persons not included in other categories.
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